#### ARC-2914R1

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 6-01-00

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Berry et al.			)	Group Art Unit: 1615
Applic	cation No.:	09/497,422	)	Examiner: Not Assigned
Filed:		February 03, 2000	)	
For:	Stable Non-Aqueous Single Phase Viscous Vehicles and Formulations Utilizing Such Vehicles			

Assistant Commissioner for Patents Office of Initial Patent Examination Customer Service Center Washington, D.C. 20231

### REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Sir:

Attached is a copy of the Official Filing Receipt received from the PTO in the above application, for which issuance of a corrected filing receipt is respectfully requested.

There are two errors in the title of the application, as evidenced by the enclosed copy of page 1 of the Specification. A copy of the Filing Receipt, showing the correction is also enclosed.

The correction is not due to any error by applicant. No fee is due.

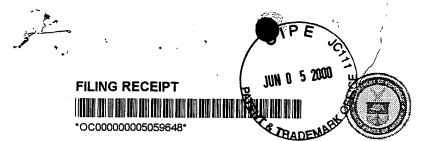
Respectfully submitted,

Date

Pauline A. Clarke, Reg. No.: 29,783

For Applicants

ALZA Corporation 1900 Charleston Road, P.O. Box 7210 Mt. View, CA 49039 650-564-5560



# UNITED STATES DEPARTMENT OF

#### **Patent and Trademark Office**

COMMERCE

Address: ASSISTANT SECRETARY AND

COMMISSIONER OF PATENT AND TRADEMARKS

Washington, D.C. 20231

200000000000000000000000000000000000000	APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
	09/497,422	02/03/2000	1615	1406	ARC2914R1	8	38	4

22921 ALZA CORPORATION P O BOX 7210 INTELLECTUAL PROPERTY DEPARTMENT MOUNTAIN VIEW, CA 940397210

JUL 13 2000

TECH CENTER 1800/20 Date Mailed: 04/18/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

#### Applicant(s)

Stephen A. Berry, Hollister, CA; Pamela J. Fereira, Redwood City, CA; Houdin Dehnad, El Granada, CA; Anna Muchnik, Belmont, CA;

## **Continuing Data as Claimed by Applicant**

THIS APPLN CLAIMS BENEFIT OF 60/119,170 02/08/1999

Foreign Applications

If Required, Foreign Filing License Granted 04/18/2000

**Title** 

otilizing

Stable non-aqueous single phase viscous vehicles and formulations utilzing such vehicles

**Preliminary Class** 

424

RECEIVED

MAY 0 2 2000

PATENT DEPT.



Data entry by: MEREDITH, WANDA

Team: OIPE

Date: 04/18/2000



1 1801 1801 1914 COLIA COLOD LIGOL COLOD LIGOL COLIA COLIA COLOD COLOD COLOD COLIA COLIA COLIA COLIA COLIA COLIA

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFF 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

## PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents Office of Initial Patent Examination Customer Service Center Washington, DC 20231

F COPY Receipt TRANSMITTAL LETTER Docket No. JUN 0 5 2000 (General - Patent Pending) ARC2914R1 **᠙** Applicatio<u>n</u> ଔ Berry et al. Examiner Serial No. Filing Date Group Art Unit 09/497,422 February 3, 2000 Unassigned 1615 Title: STABLE NON-AQUEOUS SINGLE PHASE VISCOUS VEHICLES AND FORMULATIONS UTILIZING **SUCH VEHICLES** TO THE ASSISTANT COMMISSIONER FOR PATENTS: Transmitted herewith is: JUL 13 2000 Request for Corrected Official Filing Receipt Copy of original Filing Receipt showing correction Copy of Page 1 of Specification Acknowledgement Postcard in the above identified application.  $\boxtimes$ No additional fee is required. ☐ A check in the amount of is attached. The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 01-1173 as described below. A duplicate copy of this sheet is enclosed. Charge the amount of  $\boxtimes$ Credit any overpayment.  $\boxtimes$ Charge any additional fee required.

Tauline ann Clorke Dated: 6/1/00

I certify that this document and fee is being deposited on **6-01-00** with the U.S. Postal Service as with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Katrina M. Ghafqhaichi

Typed or Printed Name of Person Mailing Correspondence

CC:



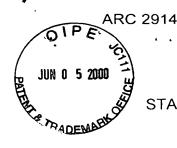
**Bib Data Sheet** 



## UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

SERIAL NUMBER 09/497,422	FILING DATE 02/03/2000 RULE _	CLASS 424	GROUP ART 1615	UNIT	ATTORNEY DOCKET NO. ARC2914R1		
Pamela J. Fei Houdin Dehna Anna Muchnik ** CONTINUING DA THIS APPLN ** FOREIGN APPLIC	erry, Hollister, CA; reira, Redwood City, CA; ad, El Granada, CA; a, Belmont, CA; TA ************************************	119,170 02/08/1999		JUL 1	3 200(1 R 1000/2003		
Foreign Priority claimed 35 USC 119 (a-d) condition met Verified and Acknowledged	SHEETS DRAWING 8	TOTAL CLAIMS 38	P				
ADDRESS 22921		_					
TITLE Stable non-aqueous	s single phase viscous veh	icles and formulations	utilizing such ve	hicles			
FILING FEE RECEIVED No to charge/credit DEPOSIT ACCOUNT 1406 No for following:				All Fees  1.16 Fees (Filing)  1.17 Fees (Processing Ext. of time)  1.18 Fees (Issue)  Other  Credit			



10

15

20

25

30

## STABLE NON-AQUEOUS SINGLE PHASE VISCOUS VEHICLES AND FORMULATIONS UTILIZING SUCH VEHICLES

#### 5 Field of the Invention

This invention relates to stable non-aqueous single phase biocompatible viscous vehicles capable of suspending beneficial agents and uniformly dispensing said agents at low flow rates and more particularly to stable uniformly mixed formulations of beneficial agents in stable non-aqueous single phase biocompatible viscous vehicles.

## References

The following references are referred to by numbers in brackets ([]) at the relevant portion of the specification.

- 1. Wang, et al., J. Parenteral Sci. Tech, 42: S4-S26 (1988).
- 2. Desai, et al., J. Am. Chem. Soc., 116: 9420-9422 (1994).
- 3. Chang, et al., *Pharm. Tech.*, 80-84 (Jan. 1996).
- 4. Manning, et al., Pharm. Res., 6: 903-918 (1989).
- 5. Hageman, *Drug Dev. Ind. Pharm*, **14**: 2047-2070 (1988).
- 6. Bell, et al., Biopolymers, 35: 201-209 (1995).
- 7. Zhang, et al., *Pharm. Res.* **12**: 1447-1452 (1995).
- 8. PCT published application 98/00158
- 9. PCT published application 98/16250
- 10. Knepp, et al., <u>Pharm. Res.</u> <u>15</u> (7) 1090-1095 (1998).
- 11. PCT published application 98/00157
- 12. PCT published application 98/00152
- 13. U.S. Patent 5,540,912
- 14. U.S. Patent 5,571,525
- 15. U.S. Patent 5,512,293
- 16. PCT published application 96/40049
- 17. Yu, et al., J. Pharm. Sci., 85: 396-401 (1996).
- 18. Mitchell, U.S. Patent No. 5,411,951 (1995).
- 19. Brooks, et al., U.S. Patent No. 5,352,662 (1994)